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## WIPO INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

27 APR 2005

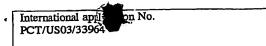
Applicant's or agent's file reference	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)					
P51376 International application No.	International filing date (day/mor						
mentatona approaton 10.							
PCT/US03/33964	28 October 2003 (28.10.2003)	29 October 2002 (29.10.2002)					
International Patent Classification (IPC)	or nauonai classincauon and IPC						
IPC(7): A61K 31/495; C07D 295/26. an	d US Cl.: 514/252.12, 544/383.						
Applicant							
SMITHKLINE BEECHAM CORPORA'	TION						
This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.							
2. This REPORT consists of a total of sheets, including this cover sheet.							
This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).							
These annexes consist of a	total of sheets.						
3. This report contains indica	ations relating to the following	items:					
I Basis of the rep	I Basis of the report						
II Priority							
III Non-establishm	III Non-establishment of report with regard to novelty, inventive step and industrial applicability						
IV Lack of unity o	IV Lack of unity of invention						
V Reasoned states	V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial						
applicability; ci	applicability; citations and explanations supporting such statement						
VI Certain docume	VI Certain documents cited						
VII Certain defects	VII Certain defects in the international application						
VIII Certain observations on the international application							
S. C. I. S. S. S. A. S.	Data	of completion of this report					
Date of submission of the demand		Date of combienon of mis report					
04 May 2004 (04.05.2004)		30 October 2004 (30.10.2004)					
Name and mailing address of the IPEA/US		orized officer					
Mail Stop PCT, Attn: IPEA/US Commissioner for Patents		Bermardt Bell - House for					
P.O. Box 1450 Alexandria, Virginia 22313-1450		phone No. (571) 272-1600					
Facsimile No. (703) 305-3230							
POT/IDEA/409 (cover sheet)(July 1998)							

## INTERNATIONAL PRELIMATION REPORT

	Y
International appl	oń No.
PCT/US03/33964	

I.	Basi	s of the report				
1.	. With regard to the elements of the international application:*					
	the international application as originally filed.					
	冈	the description:				
		pages 1-27 as originally filed				
		pages NONE , filed with the demand				
		pages NONE, filed with the letter of				
	$\boxtimes$	the claims:				
		pages 28 , as originally filed				
		pages NONE , as amended (together with any statement) under Article 19				
		pages NONE , filed with the demand pages NONE , filed with the letter of				
	$\boxtimes$	the drawings:				
		pages NONE , as originally filed				
		pages NONE , filed with the demand pages NONE , filed with the letter of				
		the sequence listing part of the description:				
		pages NONE, as originally filed, filed with the demand				
		pages NONE , filed with the letter of				
2	<b>XX/i+1</b>	h regard to the language, all the elements marked above were available or furnished to this Authority in the				
۷.	lang	uage in which the international application was filed, unless otherwise indicated under this item.				
	Thes	se elements were available or furnished to this Authority in the following language which is:				
		the language of a translation furnished for the purposes of international search (under Rule23.1(b)).				
	Ħ	the language of publication of the international application (under Rule 48.3(b)).				
	Ħ	the language of the translation furnished for the purposes of international preliminary examination (under Rules				
	ш	55.2 and/or 55.3).				
3.	Wit	h regard to any nucleotide and/or amino acid sequence disclosed in the international application, the				
	inter	mational preliminary examination was carried out on the basis of the sequence listing:				
		contained in the international application in printed form.				
		filed together with the international application in computer readable form.				
		furnished subsequently to this Authority in written form.				
		furnished subsequently to this Authority in computer readable form.				
		The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the				
		international application as filed has been furnished.				
		The statement that the information recorded in computer readable form is identical to the written sequence listing				
		has been furnished.				
4	. $\square$	The amendments have resulted in the cancellation of:				
		the description, pages NONE				
ĺ		the claims, Nos. NONE				
		the drawings, sheets/fig NONE				
ء ا		This report has been established as if (some of) the amendments had not been made, since they have been considered to go				
5		beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**				
* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in						
th	is rep	ort as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).				
*	** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.					
i .						





V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement						
1. STATEMENT		,				
Novelty (N)	Claims	1-4	YES			
HOACTÀ (14)		NONE	NO			
			******			
Inventive Step (IS)		NONE	YES NO			
	Claims	1-4				
Industrial Applicability (IA)	Claims	1-4	YES			
	Claims	NONE	NO			
publication describes similar compounds having the listed on page 10, lines 20-21. Said species differs of fluorophenyl derivative in claims 1-4. Note that the be seen from the definition of Y on page 4. Thus it obtain a compound within the instant scope for uses  Claims 1-4 meet the criteria set out in PC matter claimed can be made or used in industry. Co receptor antagonists.	would have be described by	e of 2 chlorines on phenyl ring in place of his teaches all halos as suitable substituents on the en obvious to replace either chloro with fluor WO'442.  In and thus possess industrial applicability because for a variety of uses based on their and the entire of the en	ne phenyl ring as can ine and in so doing			

Form PCT/IPEA/409 (Box V) (July 1998)